

Coast Guard, DHS

§ 12.02-15

(b) The OCMI may reject any evidence of citizenship that is not believed to be authentic. Acceptable evidence of citizenship may be an original or a copy certified as true by the agency responsible for issuing the document of the following:

(1) Birth certificate or birth registration;

(2) Certificate of naturalization (original must be presented; photocopies are unlawful);

(3) Baptismal certificate or parish record recorded within one year after birth;

(4) Statement of a practicing physician certifying the physician's attendance at the birth and who possesses a record showing the date and location at which it occurred;

(5) State Department passport;

(6) A merchant mariner's document issued by the Coast Guard after February 3, 2003, that shows that the holder is a citizen of the U.S.;

(7) Delayed certificate of birth issued under a state seal in the absence of any collateral facts indicating fraud in its procurement; or

(8) Certificate of Citizenship issued by the US Citizenship and Immigration Services or by the Bureau of Citizenship and Immigration Services;

(c) If the applicant can not meet the requirements set forth in paragraphs (b)(1) through (8) of this section, the applicant must make a statement to that effect, and may submit data of the following character for consideration:

(1) Report of the Census Bureau showing the earliest available record of age or birth.

(2) Affidavits of parents, other relative, or two or more responsible citizens of the U.S. stating citizenship.

(3) School records, immigration records, or insurance policies.

[CGFR 65-50, 30 FR 16640, Dec. 30, 1965, as amended at 60 FR 50460, Sept. 29, 1995; USCG-1998-4442, 63 FR 52189, Sept. 30, 1998; USCG-2001-10224, 66 FR 48619, Sept. 21, 2001; USCG-2003-14500, 69 FR 532, Jan. 6, 2004; USCG-2004-18884, 69 FR 58343, Sept. 30, 2004]

§ 12.02-14 Nationality of aliens.

(a) Any alien making application for a continuous discharge book or certificate of identification or merchant mariner's document representing a cer-

tificate of identification shall present acceptable evidence of nationality at the time of making application. No original document shall be issued to any alien until nationality is established by acceptable evidence.

(b) Any document of an official character showing the country of which the alien is a citizen or subject may be accepted as acceptable evidence of an alien's nationality. The following are examples of such a document:

(1) Declaration of intention to become a citizen of the United States made by the alien after 1929.

(2) A travel document in the nature of a passport issued by the government of the country of which the alien is a citizen or subject.

(3) A certificate issued by the consular representative of the country of which the alien is a citizen or subject.

(c) Should any doubt arise as to whether or not the document presented may be considered as acceptable evidence of the alien's nationality, the matter shall be referred to the Commanding Officer, National Maritime Center, for decision.

[CGFR 65-50, 30 FR 16640, Dec. 30, 1965, as amended by CGD 95-072, 60 FR 50460, Sept. 29, 1995; USCG-1998-4442, 63 FR 52189, Sept. 30, 1998]

§ 12.02-15 Oath requirement.

Applicants for a merchant mariner's document for any rating shall take an oath before an Officer in Charge, Marine Inspection, or other official authorized to give such oath, or a commissioned officer of the Coast Guard authorized to administer oaths under 10 U.S.C. 936 or 14 U.S.C. 636, that they will faithfully and honestly perform all the duties required of them by law and carry out all lawful orders of superior officers on shipboard. Such an oath remains binding for all subsequent merchant mariner's documents issued to a person until the document is surrendered to the Officer in Charge, Marine Inspection.

[CGD 91-211, 59 FR 49300, Sept. 27, 1994]